

IC 33-5-36.6

Chapter 36.6. Montgomery Superior Court

IC 33-5-36.6-1

Creation of court

Sec. 1. (a) There is established a court of record to be known as Montgomery superior court. The court may have a seal containing the words "Montgomery Superior Court of Montgomery County, Indiana".

(b) Montgomery County comprises the judicial district of the court.
As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-2

Election of judge; term; eligibility

Sec. 2. (a) The court has one (1) judge, who shall be elected at the general election every six (6) years in Montgomery County. The term of the judge begins January 1 following the election and ends December 31 following the election of the judge's successor.

(b) To be eligible to hold office as a judge of the court, a person must:

- (1) be a resident of Montgomery County;
- (2) be less than seventy (70) years of age at the time of taking office; and
- (3) be admitted to the bar of Indiana.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-3

Jurisdiction

Sec. 3. The court has the same jurisdiction as the Montgomery circuit court.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-4

Powers of judge

Sec. 4. A judge of the court has the same powers relating to the conduct of the business of the court as the judge of the Montgomery circuit court. A judge of the court may also administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-5

Bailiff; appointment; salary

Sec. 5. A judge of the court shall appoint a bailiff and an official court reporter for the court. Their salaries shall be fixed in the same manner as the salaries of the bailiff and official court reporter for the Montgomery circuit court. Their salaries shall be paid monthly out of the treasury of Montgomery County as provided by law.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-6

Duties of clerk of court

Sec. 6. The clerk of the court, under the direction of the judge of the court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for the court, which shall be kept separately from the books and papers of other courts.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-7

Sessions of court; courtrooms and facilities; funds

Sec. 7. The court shall hold sessions in the Montgomery County courthouse in Crawfordsville, Indiana, or in such other places in the county as the Montgomery County executive may provide. The county executive shall provide and maintain suitable courtrooms and other rooms and facilities, including furniture and equipment, as may be necessary. The Montgomery County fiscal body shall appropriate sufficient funds for the provision and maintenance of these rooms and facilities.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-8

Jury commissioners and juries

Sec. 8. The jury commissioners appointed by the judge of the Montgomery circuit court shall serve as the jury commissioners for the court. Juries shall be selected in the same manner as juries for the Montgomery circuit court. The grand jury selected for the Montgomery circuit court shall also serve as the grand jury for the court as is necessary.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-9

Transfer of actions from or to circuit court

Sec. 9. The judge of the Montgomery circuit court may, with the consent of the judge of the court, transfer any action or proceeding from the circuit court to the court. The judge of the court may, with consent of the judge of the circuit court, transfer any action or proceeding from the court to the circuit court.

As added by P.L.334-1989(ss), SEC.23.

IC 33-5-36.6-10

Sitting of judges interchangeably with circuit court

Sec. 10. The judge of the Montgomery circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if the judge of the circuit court was an elected judge of the court. The judge of the court may, with consent of the judge of the circuit court, sit as judge of the circuit court in any matter as if the judge of the court was an elected judge of the circuit court.

As added by P.L.334-1989(ss), SEC.23.